

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

**Students for Justice in Palestine, at the
University of Houston, et al,**

Plaintiffs,

v.

Greg Abbott, in his official capacity only as
the Governor of the State of Texas, et al.

Defendants.

Case No. 1:24-cv-00523-RP

Hon. Judge Robert Pitman

**MOTION FOR PRELIMINARY
INJUNCTION**

PLAINTIFFS' MOTION TO STRIKE AND REPLACE DKT. 38-3

Plaintiffs move the Court to strike Dkt. 38-3, Ex. C. – Jenna Homsí Reply Affidavit, and replace it with Corrected Ex. C. – Jenna Homsí Reply Affidavit. (Attached here as Exhibit A). Plaintiffs' attorneys mistakenly filed the affidavit without Ms. Homsí's electronic signature and seek to address that error through a signed affidavit. Plaintiffs have made no substantive changes to the affidavit. Instead, Plaintiffs asked Ms. Homsí to sign it herself to ensure its authenticity with the court, and she has. Defendants oppose this motion.

The Court should grant this motion because 1) Ms. Homsí's affidavit provides facts relevant to the Court's adjudication of the pending preliminary injunction motion and 2) granting the motion would not prejudice any parties to the lawsuit.

First, Ms. Homsí's affidavit directly contradicts claims by Ms. Soucy about the nature of the April 24th protest and the reasons Defendants chose to cancel the protest and disperse it with force. Ms. Homsí's affidavit detailing the nature of the protest is corroborated by the video submitted by Defendants at Dkt. 32-7, Exhibits A-H. As Ms. Homsí attests, PSC-UT

did not erect an encampment, did not block campus walkways or otherwise violate institutional rules.

Second, granting this motion does not prejudice any party because Defendants already have access to the substance of the affidavit. Nothing about that changes. Plaintiffs seek only to correct their mistake of filing an unsigned version of the affidavit.

Accordingly, the Court should grant this Motion and first strike Dkt. 38-3 then replace it with Corrected Jenna Homsy Reply Affidavit (Exhibit A to this motion).

Dated: September 19, 2024

Respectfully submitted,

/s/Lena Masri

Lena Masri

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CERTIFICATE OF CONFERENCE

I certify that a copy of the foregoing was served on all counsel of record on September 19, 2024, using the Federal Court CM/ECF system.

/s/ Lena Masri
Lena Masri

CERTIFICATE OF SERVICE

I certify that the parties have conferred regarding the relief requested in this motion,
and that Defendants opposed Plaintiffs' request.

/s/ Lena Masri
Lena Masri